

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GENEVA LANGWORTHY,

Plaintiff,

v.

DEBRA LEV et al.,

Defendants.

CASE NO. 2:21-cv-01149-LK

ORDER DENYING PLAINTIFF'S
MOTION TO REOPEN

This matter comes before the Court on pro se Plaintiff Geneva Langworthy's Motion to Re-Open and For Service By the US Marshall. Dkt. No. 48. On March 21, 2022, Ms. Langworthy filed a notice of voluntary dismissal, Dkt. No. 47, and the Court dismissed this action without prejudice the same day pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), *see* March 21, 2022 Docket Entry. More than two years later, Ms. Langworthy now seeks to reopen and amend her complaint, and also requests "that a judge from the District of Idaho or from the District of Montana be brought in to hear her case." Dkt. No. 48 at 4–5.

A plaintiff may voluntarily dismiss his or her action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment."

1 Fed. R. Civ. P. 41(a)(1)(A)(i). “Once the notice of dismissal has been filed, the district court loses
2 jurisdiction over the dismissed claims and may not address the merits of such claims or issue
3 further orders pertaining to them.” *Duke Energy Trading & Mktg., L.L.C. v. Davis*, 267 F.3d 1042,
4 1049 (9th Cir. 2001) (citing *Com. Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1077 n. 4, 1079
5 (9th Cir. 1999)); accord *United States v. Real Prop. Located at 475 Martin Lane, Beverly Hills,*
6 *CA*, 545 F.3d 1134, 1145 (9th Cir. 2008).

7 Accordingly, because Ms. Langworthy voluntarily dismissed her complaint without
8 prejudice, the Court denies her request to reopen this case. Dkt. No. 48; *see, e.g., Williams v. Kings*
9 *Cnty. Dist. Attorney’s Off.*, No. 1:18-CV-00416-ADA-SKO, 2023 WL 4086445, at *1 (E.D. Cal.
10 June 20, 2023).

11 Dated this 6th day of June, 2024.

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Lauren King
14 United States District Judge
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